IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 20810 of 2004

Between:

1 A.P. Power Generating Employees Union (Regd.No. E-1535) H.Q

SRT-30, A. Colony, VTPS, Ibrahimpatnam, Krishna Dist.
Rep by President M.A. Vazeer, S/o. Subhan, Aged 42 years,

R/o. Paloncha, Khammam District.
2 G. Mohd. Yousuf, S/o. G. Ibrahim Saheb,
O & M Division, RTPP Lallamalla, R/o. Grandalayam Street,

D.NO. 5/73 'C' Muddanur, Kadapa District.

..... PETITIONERS

AND

1 A.P. Power Generation Corporation Ltd. Vidyutsoudha,

Somajiguda, Hyderabad,
Rep by its Managing Directors,
2 The Chairman, A.P. Power Generation Corporation Ltd.
Vidyutsoudha, Somajiguda, Hyderabad - 82.
3 The Chief Engineer, Rayalaseema Thermal Power Station,
Kallamalla, Kadapa District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not considering & disposing of the petitioners representations Dt. 12-8-2003, 23-9-2004 & 24-10-2003 respectively for with drawing G.O.O.697/2002 dated 03-02-2003 as arbitrary, illegal and violtive of Article 14, 16 & 21 of the constitution of India and consequently direct the respondents to withdraw G.O.O.697/2002 dated 03-02-2003 and restore B.P.37, Dt. 18-5-1997, B.P.260, Dt.19-10-1997 & B.P.272, Dt.31-12-1997 by considering petitioners representations dated 12-08-2003 & 23-9-2004, 24-10-2003 respectively.

Counsel for the Petitioner: MR.ANDERAVI KUMAR

Counsel for the Respondent Nos.1 to 3: SMT.K.SESHARAJYAM

The Court made the following:

–

ORDER:

In not considering the representations of the petitioners dated 12.08.2003, 23.09.2004, and 24.10.2003 respectively for withdrawing G.O.O.No.697/2002, dated 03.02.2003, the writ petition is filed.

The grievance of the petitioners is that as per joint meeting held on 05.03.1996 between the A.P.State Electricity Board and the three recognized unions, it was *inter alia* agreed to fill up 50% of the vacancies on receipt of permission from the Government, and accordingly certain guidelines were issued. According to the petitioner, G.O.O.No.697/2002, dated 03.02.2003 is liable to be struck down as violation of principles of natural justice. Hence the present writ petition.

Heard the learned counsel for the respondents.

The respondents have to take appropriate decision basing on the representations of the petitioners dated 12.08.2003, 23.09.2004 and 24.10.2003 whether to withdraw G.O.O.No.697/2002, dated 03.09.2003 and to restore B.P.37 dated 18.05.1997, B.P.260, dated 19.12.1997 and B.P.272, dated 31.12.1997, as claimed by the petitioner.

Therefore, without going into the merits of the case, the Writ Petition is disposed of, with a direction to the respondents to pass appropriate orders on the representations of the petitioners dated 12.08.2003, 23.09.2004 and 24.10 2003, within a period of two months from the date of receipt of a copy of this order. In the circumstances, no costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Managing Director,

A.P.Power Generation Corporation Ltd.,

Vidyutsoudha, Somajiguda, Hyderabad

2. The Chairman,

A.P.Power Generation Corporation Ltd.,

Vidyutsoudha, Somajiguda, Hyderabadd-82

3. The Chief Engineer,

Rayalaseema Thermal Power Station,

Kallamalla, Kadapa District

4. Two CD copies.